UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK		e.
UNITED STATES OF AMERICA	······ X	
-against-	: :	MEMORANDUM & ORDER
GREG CANTONI,	:	18-cr-562 (ENV)
Defendar	nt. :	
	X	

VITALIANO, D.J.

On April 12, 2019, a jury returned a verdict, finding defendant Greg Cantoni guilty of one count of bank robbery, related to the robbery of an M&T Bank branch in Staten Island. Following jury deadlock, a mistrial was declared as to two other counts, related to two additional charged bank robberies. After the jury returned its verdict, Cantoni renewed his motion for a judgment of acquittal, pursuant to Rule 29 of the Federal Rules of Criminal Procedure.

The Court has been advised by the parties that the government intends to move to dismiss counts one and three of the indictment at sentencing, following a mistrial on those counts. For that reason, the branch of the motion as to those counts is denied as moot.

With respect to count two, on which the jury returned a verdict of guilty, the motion is denied. The expert testimony placing Cantoni's palm print on the demand note presented at the M&T Bank branch, coupled with the analysis placing Cantoni's cell phone at or near the bank during the charged robbery, as well as the other evidence brought forth at trial, makes it clear that, "viewing the evidence in the light most favorable to the prosecution, [a] rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt," *Jackson v. Virginia*, 443 U.S. 307, 319, 99 S. Ct. 2781, 2789, 61 L. Ed. 2d 560 (1979); *accord United States v. Kirsch*, 903 F.3d 213, 229 (2d Cir. 2018).

For the foregoing reasons, defendant's motion is denied.

So Ordered.

Dated: Brooklyn, New York

April 30, 2019

/s/ Hon. Eric N. Vitaliano

ERIC N. VITALIANO
United States District Judge